

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24636 of 2004

Between:

Mohammed Omer Shareef, S/o Mohammed Amjad Shareef,
R/o B. Bazar Chowrasta, Moghalpura, Hyderabad.

..... PETITIONER

AND

Regional Passport Office, Near Clock Tower, Secunderabad
rep., by the Regional Passport officer.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondent to receive the application of the petitioner for issuance of fresh passport with correct date of birth of the petitioner as illegal, arbitrary and violative of Article 14 of the Constitution of India and consequently direct the respondent to receive the application of the petitioner and consider the same for issuance of fresh passport with the correct date of birth of the petitioner as 22-4-1977.

For the Petitioner: Mr. Satyanarayana Rao Kandukuri, Advocate

For the Respondent: Smt. R. Raghamma, Addl. SC for CG

The Court at the stage of admission made the following :

ORDER:

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Heard the learned counsel for the petitioner and the learned Additional Standing Counsel for Central Government for respondent, and with their consent the writ petition itself is disposed of at the stage of admission.

The grievance of the petitioner is that when he approached the respondent for correction of his date of birth as 22-04-1977 as per Secondary School Certificate, instead of 12-07-1971 recorded in the passport obtained by him on 11-08-1997, the respondent refused to entertain the application. Hence, the writ petition.

The petitioner has not filed any material before this Court to show that he has approached the respondent and made an application for correction of his date of birth in the passport issued to him.

In the circumstances, the petitioner is directed to file an application along with relevant material before the respondent for correction of his date of birth in the passport issued to him on 11-08-1997 in accordance with the procedure laid down by law and on such filing, the respondent shall consider the same and pass appropriate orders thereon in accordance with law.

Accordingly, the writ petition is disposed of at the stage of admission. No costs.

N.V. RAMANA, J

Date: 29-12-2004

Svv

To

1. The Regional Passport Officer, Near Clock Tower, Secunderabad
2. Two CD copies.